



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

PRUCHE, F. et al.

Atty. Ref.: 2365-35

Serial No. 10/069,460

TC/A.U.: 1616

Filed: June 11, 2002

Examiner: LAMM

For: PROCESS AND DEVICES FOR TREATING, ESPECIALLY FOR
MAKING UP, FOR COLORING OR FOR THE COSMETIC CARE OF
SOME OR ALL OF THE HUMAN OR ANIMAL BODY

* * * * *

October 18, 2004

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

PETITION TO REVIVE
UNINTENTIONALLY ABANDONED APPLICATION PURSUANT TO 37 CFR §
1.137(b)

The entire delay in filing the required reply to the Office Action of April 7, 2004, from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR § 1.137 (b) was unintentional.

Attached is a reply to the Office Action dated April 7, 2004, including a Request for Continued Examination (RCE) as required by 37 C.F.R. § 1.137(b)(1).

The petition fee required by 37 C.F.R. § 1.137(b)(2) is attached.

The above statement is submitted, pursuant to 37 C.F.R. § 1.37(b)(3). The undersigned notes that the applicants intended to file the attached Amendment, RCE and Information Disclosure Statement, however through inadvertent and unintended error by the undersigned, the attached were not filed on October 7, 2004. The

undersigned notes that 37 C.F.R. § 1.37(b) does not appear to require a petition for extension of time or extension fee however the Patent Office is authorized by the attached transmittal cover sheet to charge the undersigned's Deposit Account No. 14-1140 for any required fees.

Having met all of the requirements set forth in 37 C.F.R. § 1.137(b), it is respectfully requested that the above identified application be revived, and forwarded to the Examiner for action on the attached.

The Office is requested to contact the undersigned in the event anything further is required for grant of the present Petition.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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